

Senator Dickson moved to adjourn to 10 o'clock to-morrow morning.

Senator Imboden moved to adjourn to 9.30 a. m. to-morrow.

The vote occurring on the longest time first.

The motion to adjourn to 10 a. m. to-morrow was lost.

The motion to adjourn to 9.50 a. m. was lost.

Senate adjourned to 9:30 to-morrow morning by the following vote:

YEAS—18.

Agnew,	Lawhon,
Atlee,	McKinney,
Boren,	Presler,
Cranford,	Smith,
Douglass,	Steele,
Goss,	Swayne,
Greer,	Tips,
Imboden,	Woods,
Jester,	Yoakum.

NAYS—9.

Baldwin,	Lewis,
Crowley,	McComb,
Dean,	Shelburne,
Dickson,	Simpson,
Hutchison,	

ABSENT—1.

Bowser.

EXCUSED—3.

Browning,	Whitaker.
Kearby,	

EIGHTY-SIXTH DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, April 20, 1893.

Senate met pursuant to adjournment.

Lieutenant Governor Crane in the chair.

Roll called.

Quorum present, the following Senators answering to their names:

PRESENT—26.

Agnew,	Jester,
Atlee,	Lawhon,
Baldwin,	McComb,
Boren,	McKinney,
Bowser,	Presler,
Cranford,	Shelburne,
Dean,	Simpson,
Dickson,	Smith,
Douglass,	Steele,
Goss,	Swayne,
Greer,	Tips,
Hutchison,	Woods,
Imboden,	Yoakum.

ABSENT—2.

Crowley,	Lewis.
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EXCUSED—3.

Browning,	Whitaker.
Kearby,	

Our chaplain, Dr. Briggs, being absent, by invitation chaplain of the House, Pennington, prayed as follows:

Our Father, who art in heaven, hallowed be Thy name, may Thy kingdom prevail and permeate all hearts until its principles shall become the principles of all human government. Bless the two branches of this Legislative body, and may the laws they shall pass be wise, and the investigations they may engage in be in justice to all parties, and for the good of our country. Forgive our sins and finally give us an abundant entrance into Thine everlasting kingdom, we ask for Christ's sake. Amen.

Pending reading of the journal of yesterday,

On motion of Senator Dickson, the reading of the same was suspended.

COMMITTEE REPORTS.

COMMITTEE ROOM,

AUSTIN, TEXAS, April 19, 1893.

Hon. M. M. Crane, President of the Senate:
Your Committee on Finance, to whom was referred

House bill No. 411, entitled "An act granting permission to Sarah A. Nichols to bring suit against the State of Texas in the district court of Travis county to ascertain the amount, if any, the State is indebted to said Sarah A. Nichols, surviving widow of Quilla J. Nichols, on account of the construction of the General Land Office building of Texas,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it *do not* pass.

JESTER, Chairman.

Call concluded.

Senator Hutchison called up

Senate bill No. 158, entitled "An act to define who are fellow servants and who are not fellow servants, and to prohibit contracts between employer and employes, based upon contingency of the injury or death of the employe, limiting the liability of the employer for damages," with House amendments and moved that the Senate concur in said amendments.

Concurred.

Senator Agnew moved to suspend pending business, and take up

House bill No. 213, entitled "An act to amend article 573, chapter 4, title 7, of the Revised Code of Criminal Procedure of the State of Texas, and to add thereto articles 573a and 573b, providing for the appointment of a special judge of the county court in criminal cases where the county judge is disqualified."

Carried.

Bill read second time and passed to its third reading.

On motion of Senator Agnew, the constitutional rule requiring bills to be read on three several days was suspended and the bill put upon its third reading and final passage by the following vote:

YEAS—24.

Agnew,	Lawhon,
Atlee,	McComb,
Baldwin,	McKinney,
Boren,	Presler,
Dean,	Shelburne,
Dickson,	Simpson,
Douglass,	Smith,
Goss,	Steele,
Greer,	Swayne,
Hutchison,	Tips,
Imboden,	Woods,
Jester,	Yoakum.

NAYS—none.

ABSENT—4.

Bowser,	Crowley,
Cranford,	Lewis.

EXCUSED—3.

Browning,	Whitaker.
Kearby,	

(Senator Lawhon in the chair.)

Bill read third time and passed by the following vote:

YEAS—24.

Agnew,	Lawhon,
Atlee,	McComb,
Baldwin,	McKinney,
Boren,	Presler,
Dean,	Shelburne,
Dickson,	Simpson,
Douglass,	Smith,
Goss,	Steele,
Greer,	Swayne,
Hutchison,	Tips,
Imboden,	Woods,
Jester,	Yoakum.

NAYS—none.

ABSENT—4.

Bowser,	Crowley,
Cranford,	Lewis.

EXCUSED—3.

Browning,	Whitaker.
Kearby,	

Senator Imboden moved to suspend pending business and take up

House bill No. 276, entitled "An act to amend article 697, title 22, chapter 5 of the Revised Civil Statutes of the State of Texas."

Carried.

Bill read second time.

(Lieutenant-Governor Crane in the chair.)

By Senator Greer:

Amend the caption by inserting in lieu of said caption the following:

"A bill to be entitled an act to amend title 22, chapter 697, of the Revised Civil Statutes of the State of Texas, as amended by act of the Twentieth Legislature, chapter 76, page 84, section 2, approved April 10, 1879, relative to the location of county seats."

Adopted.

By Senator Greer:

Amend section 1 by striking out all after the word "Texas," in line 2, and inserting in lieu thereof, "That title 22, chapter 5, article 697 of the Revised Civil Statutes of the State of Texas, as amended by the act of the Twentieth Legislature, chapter 76, page 84, section 2, approved April 10, A. D. 1879, be so amended as hereafter to read as follows: Article 697."

Adopted.

Bill passed to its third reading.

On motion of Senator Imboden, the constitutional rule requiring bills to be read on three several days was suspended and the bill put upon its third reading and final passage by the following vote:

YEAS—20.

Agnew,	Jester,
Atlee,	Lawhon,
Baldwin,	Presler,
Boren,	Shelburne,
Dickson,	Smith,
Douglass,	Steele,
Greer,	Swayne,
Hutchison,	Tips,
McKinney,	Woods,
Imboden,	Yoakum.

NAYS—1.

Goss.

PRESRNT, NOT VOTING—3.

Dean,	Simpson.
McComb,	

ABSENT—4.

Bowser,	Crowley,
Cranford,	Lewis.

EXCUSED—3.

Browning,	Whitaker.
Kearby,	

The bill was read third time, and was passed by the following vote:

YEAS—15.

Agnew,	Jester,
Atlee,	McComb,
Boren,	McKinney,
Bowser,	Presler,
Douglass,	Shelburne,
Greer,	Swayne,
Hutchison,	Tips.
Imboden,	

NAYS—8.

Baldwin,	Simpson,
Dickson,	Steele,
Goss,	Woods,
Lawhon,	Yoakum.

PRESENT, NOT VOTING—2.

Cranford,	Dean,
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ABSENT—3.

Crowley,	Smith.
Lewis,	

EXCUSED—3.

Browning,	Whitaker.
Kearby,	

By consent, Senator Cranford offered the following:

Resolved 1, That at 10 o'clock a. m. on this the 20th day of April, 1893, the Senate do resolve itself into a court of impeachment for the purpose of receiving the appearance or answer, or both, of the Hon. W. L. McGaughey, Commissioner of the General Land Office of the State of Texas, against whom articles of impeachment have been preferred.

2. At the hour last aboved named the said W. L. McGaughey, may in person or by counsel, or both, appear in said court and file answer to the said articles of impeachment against him, and the manner of his appearance shall be fully recorded by the secretary of the court of impeachment.

3. If the respondent shall fail to appear after having been served, etc., or appearing shall fail to file his answer to such articles of impeachment the said trial shall proceed nevertheless as upon a plea of not guilty.

4. The respondent and his counsel and the managers appointed by the House shall be conducted to seats by the Sergeant-at-Arms near the President's chair when their appearance shall have been announced by the Doorkeeper.

5. If the respondent appear and announces not ready to file his answer and shall ask further time so to do, the question shall be put to the court, on motion of some member thereof, and determined by a majority vote of said court; if he shall appear and file his answer, then the court shall adjourn until 3 o'clock p. m. this afternoon, at which time the special committee on procedure shall report a rule fixing the time that the managers on the part of the House of Representatives shall file their replication, fixing a day to hear demurrers and to appoint a time when the trial of said W. L. McGaughey shall begin.

Adopted.

The Chair announced that the hour fixed for the Senate to resolve itself into a court of impeachment had arrived, and the Senate resolved itself into court accordingly.

AFTER COURT.

Senator Douglass moved to suspend pending business and take up

House bill No. 356, entitled "An act to prevent and punish persons enticing or decoying minors away from the custody of their parents or guardians, and to give certain benevolent institutions and orphans' homes the rights of guardians over minors surrendered to such institutions and homes for support and education."

Carried.

Bill read second time and passed to its third reading.

Senator Tips moved to reconsider the vote by which the bill was passed to its third reading.

Reconsidered.

By Senator Tips:

Amend by striking out in section 2 all after the emergency clause.

Adopted.

By Senator Tips:

Amend section 1 by adding all of section 2 after the emergency clause.

Adopted.

Bill passed to its third reading.

On motion of Senator Douglass, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put upon its third reading and final passage by the following vote:

YEAS—22.

Agnew,	Lawhon,
Atlee,	McComb,
Baldwin,	McKinney,
Boren,	Presler,
Bowser,	Shelburne,
Dean,	Simpson,
Dickson,	Steele,
Douglass,	Swayne,
Goss,	Tips,
Hutchison,	Woods,
Jester,	Yoakum.

NAYS—none.

PRESENT, NOT VOTING—3.

Cranford,	Smith.
Imboden,	

ABSENT—3.

Crowley,	Lewis.
Greer,	

EXCUSED—3.

Browning,	Whitaker.
Kearby,	

Bill read third time and passed.

By consent, Senator Atlee offered the following bill:

A bill to be entitled "An act to restore and confer upon the county

court of Duval county the civil and criminal jurisdiction heretofore belonging to said court under the Constitution and General Laws of the State, and to conform the jurisdiction of the district court of said county to such change and to repeal all laws in conflict with this act."

Read first time and referred to Committee on Judicial Districts.

Senator Smith called up

Substitute House bills Nos. 30, 115, etc., entitled "An act to provide for the more efficient system of public free schools for the State of Texas, defining the school funds, providing for the investment of the permanent fund and the apportionment of the available fund; defining the duties of certain State officers in reference to the public free schools, creating the offices of State and county superintendents; providing for their election and salary and prescribing their qualification and duties; prescribing the duties of other officers in reference to public schools and public school funds; making county judges ex-officio county superintendents, and providing for their compensation; providing for the election of school trustees and prescribing their qualifications and duties; providing for the creation of school districts in all the counties of this State; providing for the levy and collection of special taxes for the further maintenance of the public free schools and the erection of school houses; providing for boards of examiners and the issuance of teachers' certificates; providing compensation and prescribing the duties of teachers employed thereunder, and preventing the altering or changing of teachers' certificates; regulating the transfer of school funds; fixing the scholastic age; providing for taking the scholastic census; authorizing trustees to administer oaths, and providing penalties for refusing to answer questions in regard to the age of children, and other penalties for the violation of this act, and declaring an emergency."

By Senator Goss:

Amend section by adding the following: "The commissioners court of any organized county to which any unorganized county is attached for judicial purposes may, and upon the written petition of not less than ten resident citizens of such unorganized county, shall create such unorganized county into one or more school districts, and shall cause an order to that effect to be entered upon the minutes of said court. Adopted."

By Senator Douglass:

Amend section 62, after the word "superintendent" in line 3, by inserting the following: "Provided, That in counties having no superintendents, the county judge shall appoint a county board of examiners."

Adopted.

By Senator Goss:

Amend section 65 by adding the following:

"All valid teachers' certificates now in force shall be good for the time for which they are issued."

Adopted.

By Senator Jester:

Amend section 75b, line 19, before "oaths," strike out "such," and after "oaths" add "necessary in transacting any business relating to school affairs."

Adopted.

Senator Lawhon called up his motion to reconsider the vote by which the amendment offered by Senator Kearby, providing that persons other than first grade teachers may hold the office of county superintendent was lost.

Lost.

By Senator Goss:

Amend section 67b by inserting after "spelling," in line 11, the word "reading," and by striking out "and the laws of health with special reference to narcotics."

Lost.

Senator Goss moved to reconsider the vote by which the amendment was lost.

Lost.

HOUSE MESSAGE.

HOUSE OF REPRESENTATIVES,
AUSTIN, TEXAS, April 20, 1893.

Hon. M. M. Crane, President of the Senate:

SIR: I am directed by the House to inform the Senate of the passage by the House of the following bills, to-wit:

Senate bill No. 19, "An act to establish a board to hear applications for pardons in felony cases," with amendments.

Senate bill No. 104, An act for the relief of C. C. Dupree, sheriff and collector of taxes of Franklin county, Texas."

Senate Concurrent Resolution accepting the donation by the citizens of Austin of 91 acres of land situated in Travis county with improvements thereon, known and designated as "Camp Mabry," for use as the place for holding the annual encampments of the militia of this State, and returning thanks for the same."

Senate bill No. 138. "An act to amend articles 2165, 2166, 2167 and 2181 and to add articles 2181a, 2183a and 2183b, to chapter 28 of the Revised Civil Statutes of the State of Texas."

Senate bill No. 186, "An act to amend section 10, chapter 100, of an act entitled an act to promote the development of the mining resources of Texas, approved March 29, 1889," with amendments.

And that the House adheres to its amendments to Senate bill No. 54, and grants the request of the Senate for a free conference committee, and appoints Messrs. Onion, Rowell, Peck, Kennedy of Harris and Cunningham as such committee on the part of the House.

And that the House adheres to its amendments to Senate bill No. 241, and grants the request of the Senate for a free conference committee, and appoints Messrs. Slayden, Kenney, Curry, Sebastian and Erskine as such committee on part of the House.

And that the House refuses to concur in Senate amendments to House bill No. 295, and asks for a free conference committee, and appoints Messrs. Mills, Chambers, Taylor, Ragsdale and Henderson of Lamar, as such committee on part of the House.

Respectfully,

GEO. W. FINGER.

Chief Clerk House of Representatives.

By Senator Simpson:

On page 9 (school bill), section 19, amend by striking out the words in lines 2 and 3, section 19, "unless otherwise agreed upon by the trustees."

Adopted.

Pending consideration of the bill,

The Chair gave notice of signing and did sign:

House bill No. 351, entitled "An act to create a more efficient road system for Collin, Williamson, Lamar and Bell counties, in the State of Texas, and making county commissioners of said counties ex-officio road commissioners, and prescribing their duties as such, and providing for their compensation as road commissioners, and providing for the appointment of deputy road commissioners, and defining the powers and duties of the commissioners court of said counties, and provide the manner of training hedges along any public road, and fixing a penalty for the violation of this act, and to repeal all laws in conflict with this act."

Substitute House bill No. 112, "An act to provide for the protection of domestic animals, for the creation of a

livestock sanitary commission, for the establishment of livestock quarantine lines, rules and regulations, to provide penalties for violating the same, and to make an appropriation to carry out the provisions of this act," after the captions of same had been read.

By Senator Swayne:

Amend (school bill) by striking out section 94.

Lost.

By Senator Yoakum:

Amend by striking out all in subdivision b of section 65 after the word "fifty" in line 18.

Senator Swayne moved to reconsider the vote by which his amendment was lost.

Reconsidered.

The amendment was then lost.

By Senator Dickson:

Amend section 94 by adding the following: "Except all funds that are not used by sectarian schools, which shall be equally distributed throughout the county."

Lost.

By Senator Yoakum:

Amend section 70, page 34 by inserting the word "which" after the word "to" in line 3.

Adopted.

By Senator Simpson:

On page 12, amend section 27, lines 3 and 4, by striking out "concerning" and inserting the following, "convening."

Adopted.

By Senator Hutchison:

Amend section 94 by adding the following at the end of section 94: "Provided no transfers shall be made after the trustees have employed a teacher."

Adopted.

(Senator Presler in the chair.)

By Senator Jester:

Amend section 96, line 1, before "no," insert "except as herein provided."

Adopted.

By Senator Goss:

Amend section 62 by striking out "all" in line 18 and insert in lieu thereof "at least two or," and by striking out "any" in line 20 and insert "more than one," and by striking out "member" in line 22 and inserting "members, or one of them."

Lost.

Senator Hutchison entered a motion to reconsider the vote by which the amendment was lost, and same was spread on the journal.

By Senator Steele:

Amend by striking out the words "to be paid out of the available school fund," in line 4, section 30.

Adopted.

By Senator Swayne:

Amend by striking out the enacting clause.

(Lieutenant Governor Crane in the chair.)

Senator Yoakum moved the previous question on the bill and pending amendments, which was duly seconded and lost.

Senator Swayne's amendment was then lost by the following vote:

YEAS—7.

Baldwin,	Sh-lburne,
Dickson,	Swayne,
Hutchison,	Tips.
McKinney,	

NAYS—19.

Agnew,	Lawhon,
Atlee,	Lewis,
Bowser,	McComb,
Cranford,	Presler,
Crowley,	Simpson,
Douglass,	Smith,
Goss,	Steele,
Greer,	Woods,
Imboden,	Yoakum.
Jester,	

ABSENT—2.

Boren, Dean.

EXCUSED—3.

Browning, Whitaker.
Kearby,

By Senator Simpson:

On page 14, amend section 34, line 16, by inserting after "years" the following: "And the several sources from which the same accrues," and by striking out all after the word "schools," in line 17.

Adopted.

Senator Dickson moved to postpone further consideration of the of the bill till next Monday.

Lost.

By Senator Presler:

Amend section 13 by adding after the word "thereafter" the following: "The number of months taught in each year shall not in the aggregate be less than eight months, which time may in the discretion of the board of trustees be divided into such terms as said board deem most convenient."

By Senator Baldwin:

Amend the amendment by adding thereto: "Provided that when the public money for the school is exhausted the teacher shall teach for no compensation."

Pending action, Senator Imboden called up

House bill No. 295, entitled "An act to fix the rate of taxation on insurance companies, telephone companies, sleeping and dining car companies

and other corporations; to prescribe the time and manner of collecting such taxes; to provide penalties for the violation of the provisions of this act, and to repeal all laws and parts of laws in conflict therewith," and moved that the Senate grant the request of the House for a free conference committee.

Carried.

The Chair gave notice of signing and did sign

Senate bill No. 157, entitled "An act to amend sections 9 and 11 of an act to redistrict the the State into judicial district and fix the times for holding court therein, and to provide for the election of judges and district attorneys at the next general election to be held on the first Tuesday after the first Monday in November, 1884, approved April 9, 1883, and the amendatory acts thereto, approved March 24, 1885, and March 31, 1885, and the further amendatory acts thereto, approved March 29, 1887, and also to amend an act entitled an act to prescribe the time of holding the terms of the district court in the Eleventh judicial district, approved March 19, 1889, and to change the times of holding the district courts in the Ninth judicial district, and to take Montgomery county from the Eleventh and attach the same to the Ninth judicial district, and to fix the times of holding courts in said districts, and to provide for the return of all writs and process returnable to the district courts of said counties affected by this act that have heretofore been issued by said courts, and that may hereafter be issued before this act takes affect, and made returnable to the terms of said courts as now fixed by law and to make the same as valid and binding as if no change had been made, and to repeal all laws and parts of laws in conflict herewith."

Senate bill No. 292, being "An act to amend article 566, chapter 2, title 20, of the Revised Civil Statutes of the State of Texas, as amended by the Twenty-second Legislature, chapter 101, page 161," after the captions of same had been read.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE,

AUSTIN, TEXAS, April 20, 1893.

To the Senate of the State of Texas:

I ask your advice and consent to the appointment of A. J. Baker, of Tom Green county, Texas, as Commissioner of the General Land Office of Texas, to fill the vacancy occasioned by the suspension of Hon. W. L. McGaughey, until the decision on the

impeachment now pending against him before your honorable body.

Very respectfully, J. S. HOGG,
Governor of Texas.

Senator Dickson moved to adjourn to 3 p. m. to-day.

Lost.

Senator Yoakum moved the previous question on the pending amendments and the bill, which was duly seconded, and prevailed by the following vote:

YEAS—15.

Atlee,	McKinney,
Baldwin,	Presler,
Bowser,	Simpson,
Cranford,	Smith,
Crowley,	Steele,
Dean,	Woods,
Lawhon,	Yoakum.
McComb,	

NAYS—8.

Dickson,	Hutchison,
Douglass,	Jester,
Goss,	Shelburne,
Greer,	Tips.

ABSENT—5.

Agnew,	Lewis,
Boren,	Swayne,
Imboden,	

EXCUSED—3.

Browning,	Whitaker.
Kearby,	

Senator Steele moved to reconsider the vote by which the previous question was ordered.

Lost.

Senator Baldwin's amendment to Senator Presler's amendment, Adopted.

The amendment as amended was then lost.

Senator Goss called up his motion to reconsider the vote by which the amendment offered by Senator Imboden, to-wit:

Strike out "political economy" and insert "Constitutions of the United States and the State of Texas," was adopted.

Lost.

Senator Steele called up Senator Boren's motion to reconsider the vote by which the amendment offered by Senator Tips, to-wit: Strike out "17" and insert "16," was lost.

Lost.

Senator Hutchison called up his motion to reconsider the vote by which the amendment offered by Senator Goss (providing for a majority of examining boards to conduct examinations) was lost.

Reconsidered by the following vote:

YEAS—9.

Atlee,	Jester,
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Baldwin,	Lawhon,
Bowser,	Lewis,
Cranford,	McKinney,
Douglass,	Presler,
Goss,	Steele,
Greer,	Swayne,
Hutchison,	Woods,
Imboden,	Yoakum.

NAYS—7.

Crowley,	Simpson,
Dean,	Smith,
Dickson,	Tips.
Shelburne,	

ABSENT—2.

Agnew,	McComb.
Boren,	

EXCUSED—3.

Browning,	Whitaker.
Kearby,	

The amendment was then adopted by the following vote:

YEAS—18.

Atlee,	Lawhon,
Baldwin,	Lewis,
Bowser,	McKinney,
Cranford,	Presler,
Dean,	Simpson,
Douglass,	Steele,
Goss,	Swayne,
Hutchison,	Woods,
Jester,	Yoakum.

NAYS—7.

Crowley,	Shelburne,
Dickson,	Smith,
Greer,	Tips.
Imboden,	

ABSENT—3.

Agnew,	McComb.
Boren,	

EXCUSED—3.

Browning,	Whitaker.
Kearby,	

Senator McKinney called up Senator Steele's motion to reconsider the vote by which Senator Boren's amendment (fixing teacher' salaries) was lost.

Lost.

The bill was then ordered engrossed by the following vote:

YEAS—18.

Atlee,	Imboden,
Baldwin,	Jester,
Bowser,	Lawhon,
Cranford,	Lewis,
Crowley,	Presler,
Dean,	Simpson,
Douglass,	Steele,
Goss,	Woods,
Greer,	Yoakum.

NAYS—6.

Dickson,	Shelburne,
Hutchison,	Swayne,
McKinney,	Tips.

ABSENT—4.

Agnew, McComb,
Boren, Smith.

EXCUSED—3.

Browning, Whitaker.
Kearby,

On motion of Senator Goss, the constitutional rule requiring bills to be read on three several days, was suspended and the bill put upon its third reading and final passage by the following vote:

YEAS—20.

Atlee, Jester,
Baldwin, Lawhon,
Bowser, Lewis,
Cranford, Presler,
Crowley, Shelburne,
Dean, Simpson,
Douglass, Smith,
Goss, Swayne,
Greer, Woods,
Imboden, Yoakum.

NAYS—5.

Dickson, Steele,
Hutchison, Tips.
McKinney,

ABSENT—3.

Agnew, McComb.
Boren.

EXCUSED—3.

Browning, Whitaker.
Kearby,

Senator Steele moved to reconsider the vote ordering the bill engrossed.

Senator Imboden moved to table the motion to reconsider.

Pending action, the following committee reports were made:

COMMITTEE REPORTS.

COMMITTEE ROOM,
AUSTIN, TEXAS, April 20, 1893.

Hon. M. M. Crane, President of the Senate:

Sir: We, a minority of your Committee on Finance, to whom was referred

House bill No. 411, "An act granting Sarah A. Nichols permission to bring suit against the State of Texas in the district court of Travis county to ascertain the amount, if any, the State is indebted to said Sarah A. Nichols, surviving widow of Quilla J. Nichols, on account of the construction of the general land office building of Texas," beg leave to differ with the adverse majority report of said committee for the reason that we believe there is merit in the claim. The bill does not call for an appropriation to pay the claimant, but merely ask that the said Sarah A. Nichols be allowed an opportunity to bring suit against the State that

her claim may be adjudicated in the courts of the country. The persistency and apparent good faith with which the party has from time to time presented her claim, though rejected, and the evidence submitted to the committee in her behalf forces us to the conclusion that it would be but an act of justice on the part of this Legislature to grant the permission sought for in the bill.

We therefore recommend that this report be adopted and the bill *do pass*.

Respectfully submitted,

WALTER TIPS,
W. M. IMBODEN,
FRIENEH SIMPSON,
For the minority.

COMMITTEE ROOM,
AUSTIN, TEXAS, April 20, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Judicial Districts, to whom was referred

Senate bill No. 297, entitled "An act to restore to and confer upon the county court of Duval county the civil and criminal jurisdiction heretofore belonging to said county under the Constitution and General Laws of the State, and to conform the jurisdiction of the district court of said county to such change, and to repeal all laws in conflict with this act,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it *do pass*.

ATLEE, Chairman.

COMMITTEE ROOM,
AUSTIN, TEXAS, April 19, 1893

Hon. M. M. Crane, President of the Senate:

Your Committee on Towns and City Corporations, to whom was referred

House bill No. 552, entitled "An act to amend sections 2, 3, 4, 24, 30, 37, 55, 64, 78, 80, 81 and 82 of an act entitled an act to incorporate the city of Fort Worth, and to grant a charter to said city, approved March 20, 1889, and by adding thereto sections 128a and 159b,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it *do pass*, with the following amendments:

1. Amend section 3, page 3, by striking out the words "two thirds" and insert in lieu thereof the words "a majority."

2. Amend section 37, page 5, lines 31 and 32, and page 6, line 1, by striking out the words "not more than two thousand dollars per annum, to be fixed by the council as hereinafter provided," after the word "of" in line

81, page 5, and insert in lieu thereof the words "twenty-five hundred dollars per annum from and after the passage of this act."

CROWLEY, Chairman.

COMMITTEE ROOM,
AUSTIN, TEXAS, April 20, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Towns and City Corporations, to whom was referred

House bill No. 318, entitled "An act to define the territory and to provide for establishing the boundaries of cities and towns in this State, and to validate the incorporation of any town heretofore incorporated in this State in certain cases,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it *do pass*.

CROWLEY, Chairman.

COMMITTEE ROOM,
AUSTIN, TEXAS, April 20, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 292, being "An act to amend article 566, chapter 2, title 20, of the Revised Civil Statutes of the State of Texas, as amended by the Twenty-second Legislature, chapter 101, page 161,"

And find the same correctly enrolled, and have this day at 12.30 p. m. presented the same to the Governor for his approval.

IMBODEN, Chairman.

COMMITTEE ROOM,
AUSTIN, TEXAS, April 20, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 157, being "An act to amend section 9 and section 11 of an act entitled an act to redistrict the State into judicial districts, and to fix the times of holding courts therein, and to provide for the election of judges and district attorneys at the next general election to be held on the first Tuesday after the first Monday in November, 1884, approved April 9, 1883, and the amendatory acts thereto approved March 24, 1885, and March 31, 1885, and the further amendatory acts thereto approved March 29, 1887; and also to amend an act entitled an act to prescribe the time of holding the terms of the district court in the Eleventh judicial district, approved March 19, 1889, and to change the times of holding the

district courts in the Ninth judicial district, and to take Montgomery county from the Eleventh and attach the same to the Ninth judicial district, and to fix the time of holding courts in said districts, and to provide for the return of all writs and process returnable to the district courts of said counties affected by this act that have heretofore been issued by said courts, and that may hereafter be issued before this act takes effect, and made returnable to the terms of said courts as now fixed by law, and to make the same as valid and binding as if no change had been made, and to repeal all laws and parts of laws in conflict herewith,"

And find the same correctly enrolled, and have this day, at 12:30 p. m., presented the same to the Governor for his approval.

IMBODEN, Chairman.

Senator Imboden moved that the Senate go into executive session immediately on reconvening this evening on the Governor's appointment.

Senator Cranford moved as a substitute that the Senate go into executive session at once.

Senator Imboden accepted the substitute.

The motion not being unanimously carried, the pending nomination was laid over.

On motion of Senator Baldwin, the Senate adjourned to 3 p. m. to-day.

AFTERNOON SESSION.

Senate met pursuant to adjournment.

Lieutenant Governor Crane in the chair.

Roll called.

No quorum, the following Senators answering to their names:

PRESENT—19.

Agnew,	Imboden,
Baldwin,	Jester,
Boren,	Lawhon,
Crowley,	McComb,
Dean,	McKinney,
Dickson,	Simpson,
Douglass,	Tips,
Goss,	Woods,
Greer,	Yoakum.
Hutchison,	

ABSENT—9.

Atlee,	Shelburne,
Bowser,	Smith,
Cranford,	Steele,
Lewis,	Swayne.
Presler,	

EXCUSED—3.

Browning, Whitaker.
Kearby,

Senator Jester moved a call of the Senate, which was ordered, the following answering to their names:

PRESENT—24.

Agnew, Imboden,
Atlee, Jester,
Baldwin, Lawhon,
Boren, McComb,
Bowser, McKinney,
Crowley, Shelburne,
Dean, Simpson,
Dickson, Smith,
Douglass, Steele,
Goss, Tips,
Greer, Woods,
Hutchison, Yoakum.

ABSENT WITHOUT LEAVE—4.

Cranford, Presler,
Lewis, Swayne.

EXCUSED—3.

Browning, Whitaker.
Kearby,

The Chair announced that the hour fixed by resolution for the Senate to resolve itself into a court of impeachment had arrived.

Senator McComb moved that the Senate do now resolve itself into a court of impeachment.

Carried.

AFTER COURT.

The committee report (made in court) read.

By Senator Yoakum:

Amend (the report) by striking out "as soon" as the Legislature shall have concluded its general appropriation bill" and insert "April 24."

By Senator Baldwin:

Amend the amendment by striking out "April 24" and insert the "second Friday in June."

Senator Douglass moved to table the amendment to the amendment.

Tabled.

Senator Baldwin moved to table Senator Yoakum's amendment.

Lost by the following vote:

YEAS—11.

Agnew, Goss,
Atlee, Greer,
Baldwin, Lewis,
Boren, McComb,
Bowser, Swayne,
Cranford,

NAYS—17.

Crowley, Presler,
Dean, Shelburne,
Dickson, Simpson,
Douglass, Smith,
Hutchison, Steele,
Imboden, Tips,

Jester, Woods,
Lawhon, Yoakum,
McKinney,

EXCUSED—3.

Browning, Whitaker.
Kearby,

By Senator Agnew:

Amend the amendment (Senator Yoakum's) by striking out "April 24," and insert "June 5."

Pending action,

Senator McComb moved that the Senate resolve itself into a court of impeachment.

Senator Atlee moved as a substitute that the pending resolutions and amendments be referred to the court at its next meeting.

Senator McComb accepted the substitute.

After discussion,

Senator Atlee withdrew his substitute motion.

Senator Steele then moved that the Senate resolve itself into a court of impeachment.

Carried.

AFTER COURT.

Senator Yoakum called up his resolution, to-wit:

"Be it resolved by the Senate of Texas, That the Senate, on and after the commencement of the impeachment trial of the Commissioner of the General Land Office of the State of Texas, will not consider any legislation of any character whatever until the conclusion of said trial, except the general appropriation bill."

By Senator Jester:

Amend by adding:

"Provided, other legislation can be considered at night sessions."

Senator Steele moved to postpone further consideration of the resolution and amendment thereto till next Tuesday at 11 a. m.

Carried.

Senator Baldwin moved to excuse Senators Swayne and McComb indefinitely after to-day.

By Senator Imboden:

Substitute:

Resolved, That the Sergeant-at-Arms inform all absent Senators that the Senate will sit as a high court of impeachment next Monday, and that from that day all excuses for absence from the Senate, except in cases of sickness, be and are hereby revoked."

Lost.

Senator Imboden moved to reconsider the vote by which his substitute was lost.

Lost by the following vote:

YEAS—7.

Boren, Imboden,

Bowser,
Cranford,
Hutchison,

Smeth,
Tips.

NAYS—19.

Agnew,
Atlee,
Baldwin,
Crowley,
Dean,
Dickson,
Douglass,
Goss,
Lawhon,
Lewis,

McComb,
McKinney,
Presler,
Shelburne,
Simpson,
Steele,
Swayne,
Woods,
Yoakum.

ABSENT—2.

Greer,

Jester.

EXCUSED—3.

Browning,
Kearby,

Whitaker.

The Chair directed the Secretary to read the following:

There will be a debate and other literary exercises of the Rusk Literary Society of the university in the assembly hall of the university to-night at 8:30, and the members of the Senate are respectfully invited to attend.

The motion to excuse was then lost by the following vote:

YEAS—14.

Agnew,
Baldwin,
Boren,
Bowser,
Crowley,
Dean,
Dickson,

Goss,
Greer,
Lawhon,
Lewis,
McKinney,
Shelburne,
Woods.

NAYS—11.

Atlee,
Cranford,
Hutchison,
Imboden,
Jester,
Presler,

Simpson,
Smith,
Steele,
Tips,
Yoakum.

EXCUSED FROM VOTING—2.

McComb,

Swayne.

ABSENT—1.

Douglass.

EXCUSED—3.

Browning,
Kearby,

Whitaker.

Senator Agnew moved to excuse Senator Goss indefinitely after to-day, on account of important business.

Lost by the following vote:

YEAS—14.

Agnew,
Baldwin,
Boren,
Bowser,
Crowley,

Lawhon,
Lewis,
McComb,
McKinney,
Presler,

Dean,
Greer,

Swayne,
Woods,

NAYS—12.

Atlee,
Cranford,
Dickson,
Hutchison,
Imboden,
Jester,

Shelburne,
Simpson,
Smith,
Steele,
Tips,
Yoakum.

EXCUSED FROM VOTING—1.

Goss.

ABSENT—1.

Douglass.

EXCUSED—3.

Browning,
Kearby,

Whitaker.

Senator Goss moved to excuse Senator Agnew indefinitely after to-day on account of important business.

Lost by the following vote:

YEAS—15.

Atlee,
Baldwin,
Boren,
Crowley,
Dean,
Dickson,
Goss,
Greer,

Lawhon,
Lewis,
McComb,
McKinney,
Presler,
Swayne,
Woods.

NAYS—10.

Bowser,
Cranford,
Hutchison,
Imboden,
Shelburne,

Simpson,
Smith,
Steele,
Tips,
Yoakum.

EXCUSED FROM VOTING—1.

Agnew.

ABSENT—2.

Douglass,

Jester.

EXCUSED—3.

Browning,
Kearby,

Whitaker.

By consent, Senator Swaynesent up the following committee report:

COMMITTEE ROOM,

AUSTIN, TEXAS, April 20, 1893.

Hon. M. M. Crane, President of the Senate, and Hon. J. H. Cochran, Speaker of the House of Representatives:

Your free conference committee, to whom was referred the differences existing between to two houses on

Senate bill No. 241, entitled "An act to extend the time within which lands that have been sold for taxes and bought in by the State, cities and towns may be redeemed,"

Have had the same under consideration, and recommend that the House recede from its amendments.

All of which is respectfully submitted,

SWAYNE,
BORN,
WOODS,
TIPS,
SHELBURNE,

Committee on part of the Senate.

SLAYDEN,
ERKINE,
SEBASTIAN,
KENNEY,

Committee on part of the House.

On motion of Senator Swayne the report was adopted.

Senator Dean moved to excuse Senator Yoakum for next week.

Pending action. Senator Smith moved to adjourn to 10 a. m. to-morrow.

Senator Imboden moved to adjourn to 10 a. m. Saturday.

Senator Lewis moved to adjourn to 10 a. m. Monday.

The vote occurring on the longest time, Senate adjourned till Monday morning 10 o'clock by the following vote:

YEAS—14.

Atlee,	Lawhon,
Boren,	Lewis,
Bowser,	McComb,
Crowley,	Presler,
Dean,	Shelburne,
Dickson,	Simpson,
Greer,	Yoakum.

NAYS—13.

Agnew,	McKinney,
Baldwin,	Smith,
Cranford,	Steele,
Goss,	Swayne,
Hutchison,	Tips,
Imboden,	Woods.
Jester,	

ABSENT—1.

Douglass.

EXCUSED—3.

Browning,	Whitaker.
Kearby,	

EIGHTY-SEVENTH DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, April 24, 1893.

Senate met pursuant to adjournment.

President Pro Tem. Kearby in the chair.

Roll called.

Quorum present, the following Senators answering to their names:

PRESENT—23.

Agnew,	Jester,
Boren,	Kearby,

Bowser,	Lawhon,
Cranford,	Presler,
Crowley,	Shelburne,
Dean,	Simpson,
Dickson,	Smith,
Douglass,	Steele,
Goss,	Tips,
Greer,	Woods,
Hutchison.	Yoakum.
Imboden,	

ABSENT—6.

Atlee,	McComb,
Baldwin,	McKinney,
Lewis,	Swayne.

EXCUSED—2.

Browning,	Whitaker.
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Prayer by the chaplain, Dr. Briggs, as follows:

Our Father, we thank Thee for the men of the plow, the chisel, the sword, the pen—the men who put into enduring form the visions of the dreamers. But above all we thank Thee for the dreamers, the prophets, the seers, the men who “dip into the future far as human eye can see, who see the vision of the world, and all the glories that shall be.” Multiply such men among us. May their words inspire us to look beyond the immediate present and toil for the mighty future. Help us to see that these are the true leaders of the people, and may we dare to follow them through storm and sunshine toward the perfect day. Prepare us for this day's work and consecrate all our toil of whatever kind to highest uses. We ask for Thy sake. Amen.

Pending reading of the journal of Thursday,

On motion of Senator Steele, the reading of the same was dispensed with.

Senator Simpson made the following free conference committee report:

COMMITTEE ROOM,

AUSTIN, TEXAS, April 24, 1893.

Hon. M. M. Crane, President of the Senate, and Hon. J. H. Cochran, Speaker of the House of Representatives:

We, your free conference committee, to whom was referred the differences existing between the two houses on Committee substitute Senate bill No. 191, entitled “An act to provide for the retirement of the past due bonds of the State of Texas, for the payment of interest thereon, and the issuance of other bonds at a lower rate of interest in lieu thereof,”

Have had the same under consideration and respectfully recommend that the accompanying substitute, which is made a part of this report, be adopted and passed in lieu of said concurrent